

INDEPENDENT CANDIDATES NOVEMBER 4, 2008 GENERAL ELECTION

Only candidates running as members of one of California's **six** qualified political parties are eligible to participate in the primary election process. To provide a method for the nomination of nonpartisan candidates to partisan public offices, the independent nomination provisions of Part 2 of Division 8 of the Elections Code, beginning at Section 8300, were established. There is no limit on the number of independent candidates who can be nominated and placed on the ballot at the general election, provided each meets the legal requirements.

To be eligible as an independent candidate at the general election, the potential candidate:

- 1) Cannot have filed as a partisan candidate at the primary election and have been defeated for the party's nomination at that primary election; and, § 8301
- 2) Cannot have been registered to vote in California since October 4, 2007, as being affiliated with a qualified political party (i.e., Democratic, Republican, American Independent, Green, Libertarian, or Peace and Freedom). § 8550

The nomination signature requirement for persons seeking an independent candidacy is based on the previous general election's registration figures. Nomination papers must be signed by at least three percent of the number of registered voters in the election jurisdiction from the last Report of Registration prior to the November 2006 General Election (October 23, 2006). The charts on pages 8-3 through 8-5 provide the specific signature requirements for each district.

§ 8400

Independent Presidential Candidates - 2008

An independent nominee for President of the United States attains ballot status by qualifying a group of 55 Presidential Electors who pledge their votes to that independent presidential nominee. §§ 8303-8304

Qualifications

A candidate for presidential elector must have a valid voter registration affidavit on file in the county of residence at the time nomination papers are obtained. There are no political affiliation restrictions on electors; they need only be registered voters in California at the time nomination papers are issued. In addition to qualifying the 55 presidential electors, the person seeking the independent nomination for President of the United States must be: (1) a natural-born citizen of the United States, (2) at least 35 years of age, and (3) a resident within the United States for at least 14 years.

Elec. Code § 201; U.S. Const., art. II, § 1(5)

Filing Requirements

Nomination papers may be circulated for signatures between **April 25 and August 8, 2008 (E-193 and E-88)**, and left for examination with the county elections official of the county in which the signers reside and are voters. The nomination papers will be forwarded for filing with the Secretary of State after verification of signatures. §§ 8063, 8403

Whenever a group of candidates for Presidential Elector, equivalent to 55, files a nomination paper with the Secretary of State, the nomination paper may also contain the name of the candidate for U.S. President and U.S. Vice President for whom all of those candidates for Presidential Elector pledge themselves to vote.

§ 8303

The nomination papers must be signed by at least **158,372** registered voters (equivalent to 1% of the statewide registration from the last Report of Registration prior to the November 2006 General Election, October 23, 2006). All signers must be registered voters of the state; any registered voter who is a candidate may obtain signatures to and sign his or her own nomination papers; the candidate may appoint circulators to serve, within the county in which the circulators reside, for the purpose of securing signatures to the candidate's nomination papers; and circulators shall be registered voters of the state.

§§ 100, 106(a), 2187, 8400, 8451

EACH of the 55 candidates for presidential elector must complete a Declaration of Candidacy and file it with the county elections official of the county in which he or she is registered to vote. The declaration shall state: (a) The candidate's residence address; (b) That the candidate is a voter in the precinct in which he or she resides; (c) The name of the office sought; i.e., presidential elector; (d) That he or she will not withdraw as a candidate before the election; and (e) That if elected, he or she will qualify for the office. The Declaration of Candidacy shall be left with the county elections official not later than **August 8, 2008 (E-88)**. § 8550

General Information

The Secretary of State and county elections officials do not supply forms for the independent nomination of presidential elector. However, suggested formats for the Nomination Paper and Declaration of Candidacy can be obtained from the Secretary of State Office.

Because of the requirements of the Federal Election Campaign Act, As Amended, the presidential candidate should contact the Federal Election Commission at 999 E Street, N.W., Washington, D.C. 20463, or call toll-free 1-800-424-9530 for a copy of the Act, related regulations giving the filing requirements for reporting campaign contributions, and the forms on which to file.

**Nomination Signatures Required for Independent Candidates
for United States Representative in Congress**

District	October 2006 Registration	Signatures Required*	District	October 2006 Registration	Signatures Required*
1	352,256	10,568	28	222,120	6,664
2	341,895	10,257	29	285,203	8,557
3	378,301	11,350	30	387,433	11,623
4	416,201	12,487	31	166,272	4,989
5	282,476	8,475	32	217,999	6,540
6	344,985	10,350	33	269,999	8,100
7	267,534	8,027	34	172,696	5,181
8	339,932	10,198	35	229,600	6,888
9	321,557	9,647	36	315,886	9,477
10	334,932	10,048	37	258,624	7,759
11	354,241	10,628	38	224,764	6,743
12	328,067	9,843	39	237,365	7,121
13	263,688	7,911	40	322,994	9,690
14	327,727	9,832	41	329,921	9,898
15	286,134	8,585	42	347,162	10,415
16	259,586	7,788	43	223,918	6,718
17	268,655	8,060	44	317,237	9,518
18	261,070	7,833	45	323,246	9,698
19	321,177	9,636	46	388,759	11,663
20	185,864	5,576	47	195,788	5,874
21	269,209	8,077	48	405,024	12,151
22	340,208	10,207	49	294,963	8,849
23	298,458	8,954	50	362,826	10,885
24	357,343	10,721	51	262,998	7,890
25	319,420	9,583	52	341,760	10,253
26	343,549	10,307	53	295,833	8,875
27	272,253	8,168			

* 3% of the total district registration from the last Report of Registration prior to the November 2006 General Election (October 23, 2006) § 8400

Nomination Signatures Required for Independent Candidates for State Senate

<u>District</u>	<u>October 2004 Registration</u>	<u>Signatures Required*</u>
1	526,596	15,798
3	470,598	14,118
5	405,009	12,151
7	455,051	13,652
9	421,150	12,635
11	450,887	13,527
13	318,651	9,560
15	451,084	13,533
17	430,206	12,907
19	478,474	14,355
21	404,650	12,140
23	462,511	13,876
25	337,982	10,140
27	353,336	10,601
29	438,816	13,165
31	414,964	12,449
33	507,057	15,212
35	525,601	15,769
37	433,174	12,996
39	441,415	13,243

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Nomination Signatures Required for Independent Candidates for State Assembly

District	October 2006 Registration	Signatures Required*	District	October 2006 Registration	Signatures Required*
1	239,926	7,198	41	236,305	7,090
2	224,175	6,726	42	250,171	7,506
3	241,936	7,259	43	183,173	5,496
4	266,102	7,984	44	214,093	6,423
5	238,047	7,142	45	123,238	3,698
6	235,661	7,070	46	88,022	2,641
7	201,016	6,031	47	205,154	6,155
8	196,791	5,904	48	124,325	3,730
9	174,927	5,248	49	142,115	4,264
10	238,003	7,141	50	117,880	3,537
11	192,891	5,787	51	159,305	4,780
12	206,242	6,188	52	125,883	3,777
13	238,787	7,164	53	240,629	7,219
14	233,733	7,012	54	225,218	6,757
15	274,267	8,229	55	170,204	5,107
16	191,404	5,743	56	170,323	5,110
17	184,057	5,522	57	155,110	4,654
18	183,249	5,498	58	167,290	5,019
19	214,593	6,438	59	238,072	7,143
20	177,665	5,330	60	224,653	6,740
21	235,411	7,063	61	142,044	4,262
22	178,515	5,356	62	143,167	4,296
23	143,271	4,299	63	219,217	6,577
24	211,971	6,360	64	218,683	6,561
25	226,682	6,801	65	223,751	6,713
26	193,036	5,792	66	206,241	6,188
27	230,705	6,922	67	250,601	7,519
28	145,682	4,371	68	205,863	6,176
29	212,269	6,369	69	117,070	3,513
30	122,105	3,664	70	271,705	8,152
31	136,618	4,099	71	244,596	7,338
32	222,126	6,664	72	207,021	6,211
33	223,649	6,710	73	219,636	6,590
34	164,528	4,936	74	224,310	6,730
35	211,436	6,344	75	239,492	7,185
36	200,049	6,002	76	228,584	6,858
37	239,889	7,197	77	216,952	6,509
38	239,632	7,189	78	212,687	6,381
39	110,472	3,315	79	143,352	4,301
40	165,048	4,952	80	174,407	5,233

* 3% of the total district registration from the last Report of Registration prior to the November 2006 General Election (October 23, 2006) § 8400